



REORGANIZATION PROPOSAL

*The Reorganization Proposal form must be completed, **signed by your Assistant Administrator/Regional Administrator**, and submitted to Troy Boston, OARM, Office of Human Resources, Policy, Planning and Training Division and to your designated HR Shared Service Center Representative via **email and hardcopy** for review. Please complete this form in its entirety and submit with all required documents and approvals; forms are available at <http://intranet.epa.gov/ohr/programs/reorg/start.htm>. If you have any questions regarding completion of this form, please see page 2 for Troy's contact information.*

A. CONCISE STATEMENT OF CHANGE

1. Provide an executive summary that succinctly explains the proposed change(s) (one paragraph or less).

EPA Region 2 proposes a reorganization that would create a new, seventh Branch in the Emergency and Remedial Response Division (ERRD). The branch would be responsible for a suite of Superfund sites centered around Newark Bay and its major tributaries, the Passaic and Hackensack Rivers. Together, these sites represent between \$2 and \$5 billion worth of work to be carried out during the next 20 to 30 years. The sites include some of the most technically complex, high profile, controversial and expensive Superfund sites in the region and the nation. The Chief of the new Branch would be responsible for the management and coordination of Superfund response work at the six to seven sites currently projected for inclusion in the Branch. The name of the new Branch would be the Passaic, Hackensack and Newark Bay Remediation Branch.

2. Describe the title(s) of the unit(s) affected.

- Emergency & Remedial Response Division (ERRD), U.S. EPA Region 2
- Special Projects Branch (ERRD-SPB)
- Mega-Projects Section (ERRD-SPB-MPS)
- New Jersey Remediation Branch (ERRD-NJRB)
- Central New Jersey Remediation Section (ERRD-NJRB-CNJS)
- New York Remediation Branch (ERRD-NYRB)
- Central New York Remediation Section (ERRD-NYRB-CNYRS)
- Western New York Remediation Section (ERRD-NYRB-WNYRS)

3. Explain the change purpose (e.g., whether the change is due to a new legislative authority, new program authority or shifts in program emphasis).

The proposed change is due to an increasingly intense focus on Superfund response work in the Newark Bay/Passaic River/Hackensack River estuary system. The immediate impetus for the proposed change is the issuance, in March, 2016, of the Record of Decision (ROD) for the lower 8 miles of the Lower Passaic River, Operable Unit (OU) 2 of the Diamond Alkali Superfund Site. The remedy called for in that ROD is estimated to cost \$1.4 Billion, the most expensive remedy ever proposed in the history of the Superfund program nationwide. The further impetus for the change is the initiation, also in March, 2016, of an expanded site inspection of the Hackensack River (the other major tributary of Newark Bay, along with the Passaic River), to evaluate potential inclusion of that waterway on the Superfund National Priorities List (NPL). Also informing the proposed change is the recent inclusion on the NPL of two other new sites in the same estuary system – Pierson's Creek (a tributary of Newark Bay) and Riverside Industrial Park (on the Passaic shoreline); and the acceleration of work at the Standard Chlorine Site (on the Hackensack shoreline) and the Berry's Creek Site (a tributary of the Hackensack). The proliferation of sites in this



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immediate area, the need to closely coordinate the response actions at these sites, and the lengthy timeline that's anticipated (20 to 30 years, as noted above) informs the proposed organizational change.

4. Discuss the progress to date based on communications with level approvers and discussions with stakeholders, unions, SSCs, etc.

The ERRD Division Director has discussed the proposed change with, and secured the endorsement of: the Region 2 Regional Administrator, the Deputy Regional Administrator, the Assistant Regional Administrator for Planning & Management, the Chief of the Human Resources Branch, and the ERRD senior managers directly affected by the proposal. In the future, the ERRD Director will communicate about the proposal with other stakeholders including but not necessarily limited to the Office of Land and Emergency Management (OLEM) in EPA Headquarters; the New Jersey Department of Environmental Protection; and the affected EPA Region 2 employees and the union that represents them.

5. Describe the benefits of this change(s) to the agency (e.g., increased accountability, enhanced communication and coordination, improved efficiency).

The environmental and legal inter-connectedness of this suite of sites makes it imperative that we establish unified coordination and management responsibility. The waterways themselves are estuarine, and readily exchange contaminants. The remedy selected for any of the sites or OUs must take into account the influence of contaminants migrating from each of the other sites. On the legal front, many of the potentially responsible parties (PRPs) associated with the sites are, in fact, involved at two or more of those sites. (For example, Occidental Chemical Corp. is a PRP for all six of the Diamond Alkali site OUs and components, and also for the Standard Chlorine site and the Hackensack River (should it be listed on the NPL).) Remediation of these sites is expected to require two to three decades or more of work which means we will be deeply engaged with these sites and projects well into the future.

Overall general coordination and management of the Diamond Alkali site (including all its OUs), as well as the Pierson's Creek and Riverside Industrial Park sites, has been provided by a senior level nonsupervisory GS-15 employee reporting directly to the Division Director who will be leaving EPA in September, 2016. Three Remedial Project Managers (RPMs) working on the Passaic River and Riverside Industrial Park sites are currently assigned to the immediate office of the Chief of the Special Projects Branch (SPB) within ERRD. Another RPM working on the Passaic River is currently assigned to the NYRB-WNYRS, but has reported to the division's immediate office with respect to that site. The RPM assigned to the Pierson's Creek site is assigned to the NYRB-CNYRS, but has reported to the division's immediate office with respect to that site. The RPM for the Standard Chlorine Site is assigned to the SPB-MPS. The RPM for the Berry's Creek site is assigned to the NJRB-CNJRS.

The ERRD Director considered whether management of the Passaic/Hackensack/Newark Bay (PHNB) suite of sites might be consolidated within the SPB, either reporting directly to the SPB Branch Chief or within the Mega-Projects Section of that Branch; or within the NJRB. Given the already large and demanding workload of the NJRB and SPB Branches, and the Mega-Projects Section within the SPB Branch, it is virtually impossible for the NJRB or SPB Branch Chief or the Mega-Projects Section Chief to be fully conversant with



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and closely engaged on the PHNB complex and thus to be able to fulfill the needed coordination and management responsibilities for those sites.

Similarly, the ERRD Director considered whether the PHNB complex of sites might be managed by the Mega-Projects Section, but with that Section being removed from SPB and converted into a Branch with a Branch Chief reporting to the Director. Again, the existing workload and responsibilities of the Mega-Projects organizational unit are extensive, including some of the region's largest and most complex sites such as Newtown Creek (with an anticipated cleanup cost in the billion-dollar range); American Cyanamid (a 400-acre site with cleanup work valued at several hundred million dollars); Raritan Bag Slag (a high profile, controversial site with cleanup costs of nearly one hundred million dollars); Vineland Chemical (several hundred million dollars); and numerous others. Thus, the goal of having a senior manager focused on the PHNB complex of sites would not be achieved by elevating the Mega-Project Section to Branch status.

In addition, it is expected that the number of RPMs assigned to the PHNB complex sites (six, plus a seventh in another branch who will spend one-third of her time on PHNB work) will be increased in the future. This is most likely to occur as the larger sites (i.e., the several Passaic River and Newark Bay OUs of the Diamond Alkali site, Berry's Creek, and eventually the Hackensack River) move into the construction phase. For these reasons we have concluded that the appropriate organizational structure is to establish a Branch that will handle this suite of related sites.

Within Region 2, the proposed change will facilitate interaction regarding the PHNB suite of sites between ERRD and support divisions including the Office of Regional Counsel (ORC) and the Division of Environmental Science and Assessment (DESA). In particular, the proposed change will enhance coordination between ERRD and ORC with respect to interactions with PRPs at these sites. As noted in the response to Item #5, above, many of the PRPs are involved in two or more of the PHNB suite of sites. Consolidating the management of these sites within ERRD will ensure that legal enforcement decisions made in conjunction with ORC are consistent.

EPA Region 2 is also using this opportunity to memorialize certain minor organizational changes that were made over the past four years in collaboration with the Shared Service Center, which did not rise to the level of requiring a formal reorganization. These include: (a) change of the title of the Deputy Division Director to Deputy Division Director for Program Management and Emergency and Remedial Response; (b) creation of the Deputy Division Director for Enforcement and Homeland Security position; (c) elimination of the Senior Enforcement Policy Advisor position, the duties of which have been incorporated into the position of Deputy Division Director for Enforcement and Homeland Security; (d) change of the title of the Accelerated Cleanup Manager and Ombudsman to Superfund Decision Facilitator, along with modifications to the description of that position; and (e) inclusion in the description of the Division Director's function of a reference to the Director's responsibility for supervision of the Hudson River Field Office.

6. Is there an impact between AA/RA offices, between offices within an AA office or between Regional divisions?



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No. Functions will not move into or out of ERRD, nor will staff.

B. ANALYSIS OF IMPACT ON PERSONNEL

1. Will there be an impact on the supervisor-to-staff ratio at the AAship/RAship level? (Contact your HRO/PMO for the current ratio). ☐ No ☒ Yes

If yes, please explain and include your present AAship/RAship supervisor-to-staff ratio.

The present supervisor-to-staff ratio in Region 2 is 1:5.79 and the proposed supervisor-to-staff ratio is 1:5.74. The impact to our ratio of adding a single supervisory position is marginal. The impact is warranted given the critical importance of ensuring optimal remediation of the PHNB suite of sites.

2. Will this proposed reorganization: (a) Eliminate positions; (b) Cause a reduction in force; (c) Change how positions are graded; (d) Add new functional units; or (e) Support a VERA/VSIP? ☐ No ☒ Yes

If yes, please explain.

The proposed reorganization will add one new functional unit, *i.e.*, a seventh Branch within the Emergency & Remedial Response Division. (ERRD is the largest division in Region 2, with over one quarter of all regional employees.)

3. Will there be an impact on the diversity of the organization? ☒ No ☐ Yes

If yes, please explain.

C. ADMINISTRATIVE ISSUES *(Failure to address all administrative issues may result in a delay in the implementation of the reorganization.)*

1. Will there be any physical moves of staff? ☒ No * ☐ Yes

If yes, please explain.

* Region 2 is currently in the planning stages for a significant space consolidation effort -- three of the thirteen floors utilized for the Region's New York City office are being given up. This means that many staff in the Region 2 NYC office will be moving; indeed, virtually all ERRD employees in the NYC office will be moving. It is the Region's plan to effectuate any necessary physical changes to accommodate the proposed reorganization (most notably, providing for a branch chief office) at the same time as the region will be reconfiguring for the space consolidation process. Such physical changes are not expected to affect space designated for bargaining unit employee work stations.

2. Will new space be required? ☒ No * ☐ Yes

If so, have all technical (computer, telecommunications, etc.) needs been assessed?

* The reorganization involves no net increase in Region 2 staff. Technical needs have been assessed in the context of the space consolidation described above.

3. Will the reorganization require new information systems/technologies, or significant changes to existing ones, and (if so) has it been acquired? ☒ No ☐ Yes

If yes, please explain.



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4. Will there be any budgetary impacts? **If yes, please explain in detail.** ☐ No ☒ Yes
The impact of establishing a GS-15 position that will be filled from within the region is quite modest, and our budget is adequate to absorb it.

D. EPA DIRECTIVES

1. Will any Delegations of Authority, Orders or Manuals be affected? ☒ No ☐ Yes
If yes, please explain and attach the directive affected.

E. ATTACHMENTS *(Use the forms provided)*

1. Staffing Plan Crosswalk *(Use Staffing Plan Template)*. Contact your servicing HR SSC for information *(Do not include social security numbers)*.
2. Current Organizational Chart.
3. Proposed Organizational Chart *(Must include all organization levels)*.
4. Current Functional Statement.
5. Proposed Functional Statement *(Must include all reporting levels)*.

Assistant Administrator/Regional Administrator Approval

Name: Judith Enck

Title: Regional Administrator

Signature: *Judith Enck*

Date: 8/9/16

Human Resources Office/Program Management Office Reviewed

Name: Barbara Pastalove

Title: Chief, Human Resources Branch

Signature: *Barbara Pastalove*

Date: 8/10/16

Human Resources Shared Service Center Approval *(Certifies Receipt of this Package)*

Name: Arron Helm

Title: Director, RTP HRMD

Signature:

Date:

Contact Information:

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